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**STATE OF INDIANA**

DEPARTMENT OF HOMELAND SECURITY

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**NEW FIREWORKS LAW NOW IN EFFECT IN INDIANA**

**Indianapolis** – With the fireworks season fast approaching, Indiana citizens and retailers are being reminded of a new state law governing the use and sale of fireworks.

The law which Governor Mitch Daniels signed in March will help fund important public safety programs around the state, such as firefighter training, through the collection of a new 5-percent safety fee on the sale of all fireworks beginning June 1. The law also includes requirements regarding where and when consumers can set off fireworks, as well as requirements for structures where fireworks are sold.

“The new law did remove the requirement for fireworks purchasers to sign a document stating that they will take the fireworks out of state before setting them off,” said Indiana State Fire Marshal Roger Johnson. “However, Hoosiers do need to be aware of restrictions that are in place regarding the use of fireworks, as well as the possible penalties for violators. We want to make sure that citizens are aware of these restrictions ahead of time.”

Some of the provisions in the new law include:

- Fireworks may be used only on the user’s property; or on the property of someone who has consented to the use of fireworks; or at a special discharge location. (Note: A special discharge location is a place designated for the discharge of consumer fireworks under temporary policies of the State Fire Marshal that are in effect until the Fire Prevention and Building Safety Commission adopts rules.
- Fireworks can be purchased only by persons 18 years of age or older and children may possess or use any kind of firework only when an adult is present.
- Penalties for violating the fireworks law can range from a Class A misdemeanor up to a Class C felony in the case of the reckless or intentional use of fireworks that results in a person’s death.

The new law also includes requirements for fireworks retailers:

- Locations where fireworks are sold must be registered with the IDHS Division of Fire and Building Safety, unless it is a permanent structure where only Section 8(a) fireworks such as sparklers and ground spinners are sold. The locations

must also comply with safety requirements specified in the law for various types of structures.

- Each fireworks retail sales location must be inspected by an employee of the IDHS Division of Fire and Building safety, or an employee of a local fire department that conducts the inspection in accordance with policies and guidelines of the State Fire Marshal.
- Each fireworks retail sales location will collect a public safety fee with each transaction that will be payable to the Indiana Department of Revenue.

“The funds generated by this law will help enhance firefighter training and Indiana's disaster response capabilities,” said Johnson. “The funds will allow the Indiana Department of Homeland Security to provide firefighter training deliverables directly to the local level, and will also allow IDHS to deliver local training through an adjunct instructor program directly to counties.”

A portion of the funds will also be used to establish a State Disaster Relief Fund, which will help cover the costs of the state's response to emergencies or disasters, especially those that may not qualify for any federal disaster assistance.

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